

CITY OF SAN ANTONIO

Board of Adjustment Regular Meeting Agenda

Cliff Morton Development and Business Services Center
1901 South Alamo Street
Board Room, First Floor

Monday, December 17, 2007
1:00 PM

BOARD OF ADJUSTMENT MEMBERS

Liz Victor – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
Vacant– District 4	Michael Gallagher – District 10
George Alejos – District 5	Gene Camargo – District Mayor
Mike Villyard – District 9	
Chairman	
Maria Cruz	Michael Dean
Mimi Moffat	Henry Rodriguez
Rollette Schreckenghost	Pete Vallone

1. 1:00 PM Board Room – Public Hearing Call to Order.
2. Roll Call.
3. Pledges of Allegiance.
4. **A-08-017:** The request of Diana Fuentes, for a Special Exception, as required in the Unified Development Code, to continue to operate a one-operator beauty shop in a residential area, 5931 Cliff Ridge.
5. **A-08-018:** The request of Mary Alice Alvarez, for a Special Exception , as required in the Unified Development Code, to continue to operate a one-operator beauty shop in a residential area, 326 Eastley.
6. **A-08-019:** The request of Javier Ortiz, for 1) a 2-foot variance from the Unified Development Code requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep a 6-foot tall predominantly open fence in the front yard, and 2) a 3-foot variance from the Unified Development Code requirement that clear vision areas be free of visual obstructions which are higher than three feet above the pavement, in order to allow a 6-foot tall predominantly open fence to encroach into the clear vision area of a corner intersection and abutting driveways in the front yard, 1802 West Laurel Street.

7. **A-08-021:** The request of Alvin G. Peters, for a 29-foot variance from the Unified Development Code requirement that a minimum 30-foot front setback be maintained in "I-2" zoning districts, in order to build a structure 1-foot from the front property line, 1545 South San Marcos Street.
8. **A-08-022:** The request of Benigno Sepulveda III, for a 4-foot, 6-inch variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained in "R-4" Zoning districts, in order to keep an existing carport 6 inches from the side property line, 3230 Aragon Drive.
9. **A-08-023:** The request of Charles S. Gottsman, for a 48-foot variance from the requirement in Chapter 28 that signs must be set back a minimum of 100 feet from the nearest street easement or right-of-way, in order to allow a sign to be 52 feet from the nearest street easement or right-of-way, 2939 Mossrock.
10. **A-08-024:** The request of Drury Southwest, Inc., to appeal the decision of the Chief Sign Inspector to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of Section 28-245 (Sign Code) by the Chief Sign Inspector that the reconstruction of an on-premise free-standing sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign, 8818 Jones Maltsberger.
11. **Presentation of new evidence and a request by Dalia Munoz to re-open Case Number A-07-075 and waive the 1-year time limitation for an appeal for property addressed at 1311 Logwood Avenue.**
12. Consideration of **Sign Master Plan No. 08-003**, Seguin and Woodlake, located at Seguin Rd. and Woodlake Parkway.
13. Consideration of **Sign Master Plan No. 08-004**, Stone Ridge Market, located at Evans Rd. and U.S. Highway 281 N.
14. Approval of the minutes from the regular meeting on December 3, 2007 and October 16, 2006.
15. Staff Report.
16. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
17. **Adjournment**

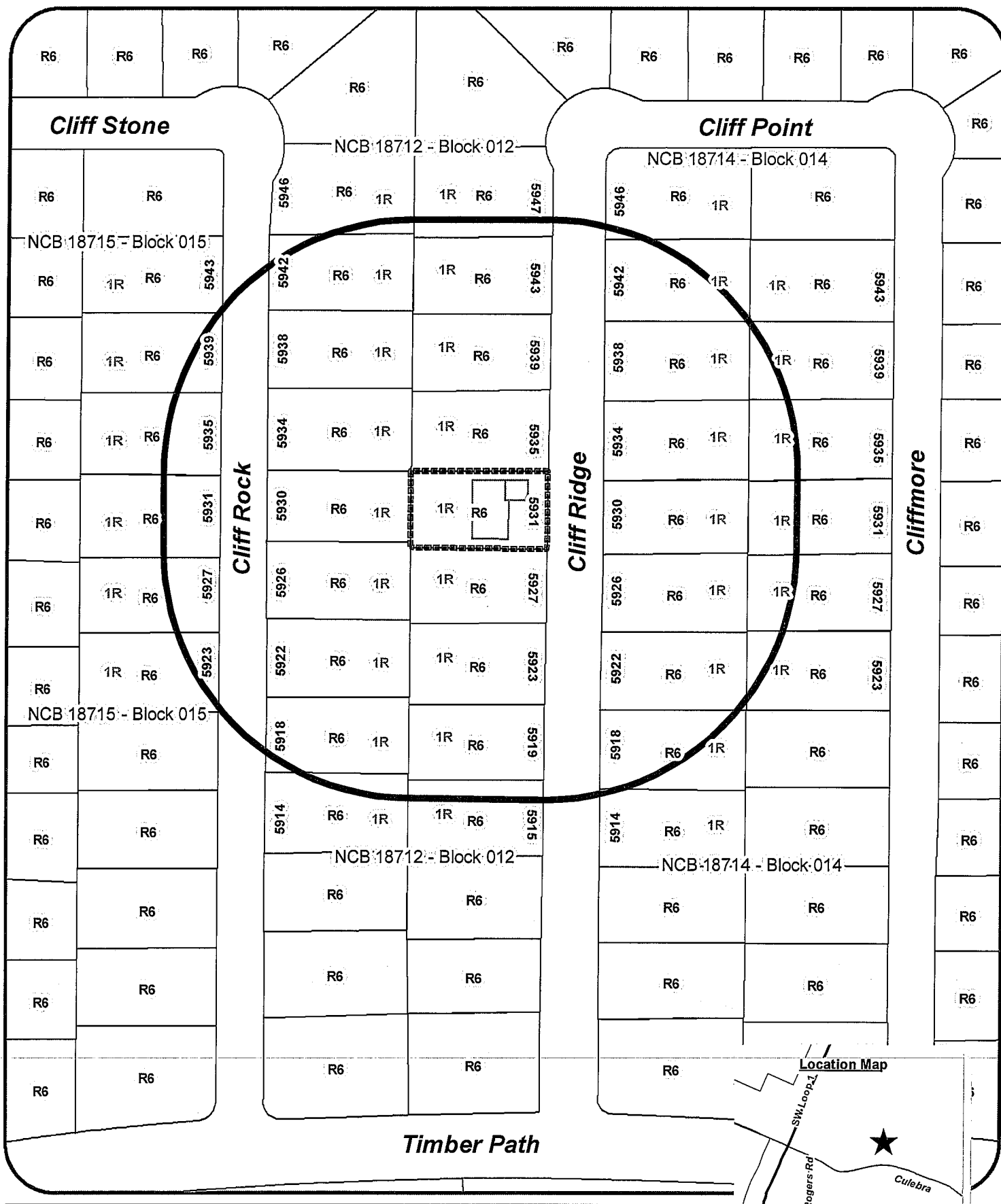
Note: The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: www.sanantonio.gov/dsd

At any time prior to the meeting, you may contact a case manager at 207-6944 to check the status of a case.

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located in front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling (210) 207-7245.



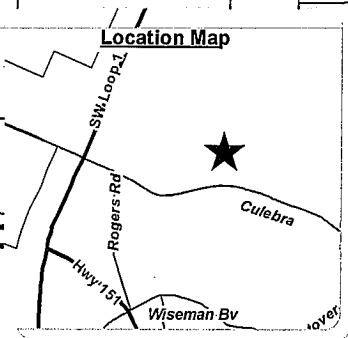


Board of Adjustment
Notification Plan for
Case A-08-017



Legend
 Subject Property [dashed line]
 200' Notification Buffer [thick solid line]

Scale: 1" approx. = 100'
 Council District 6



Produced by the City of San Antonio
 Development Services Department
 (12/05/2007)

Board of Adjustment - Case No. A-08-017

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Diana Fuentes
Lot 123, Block 12, NCB 18712
5931 Cliff Ridge
Zoned: "R-6" Residentail Single-Family District

The applicant is requesting a Special Exception to continue to operate a one(1) operator beauty shop in a residential area

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

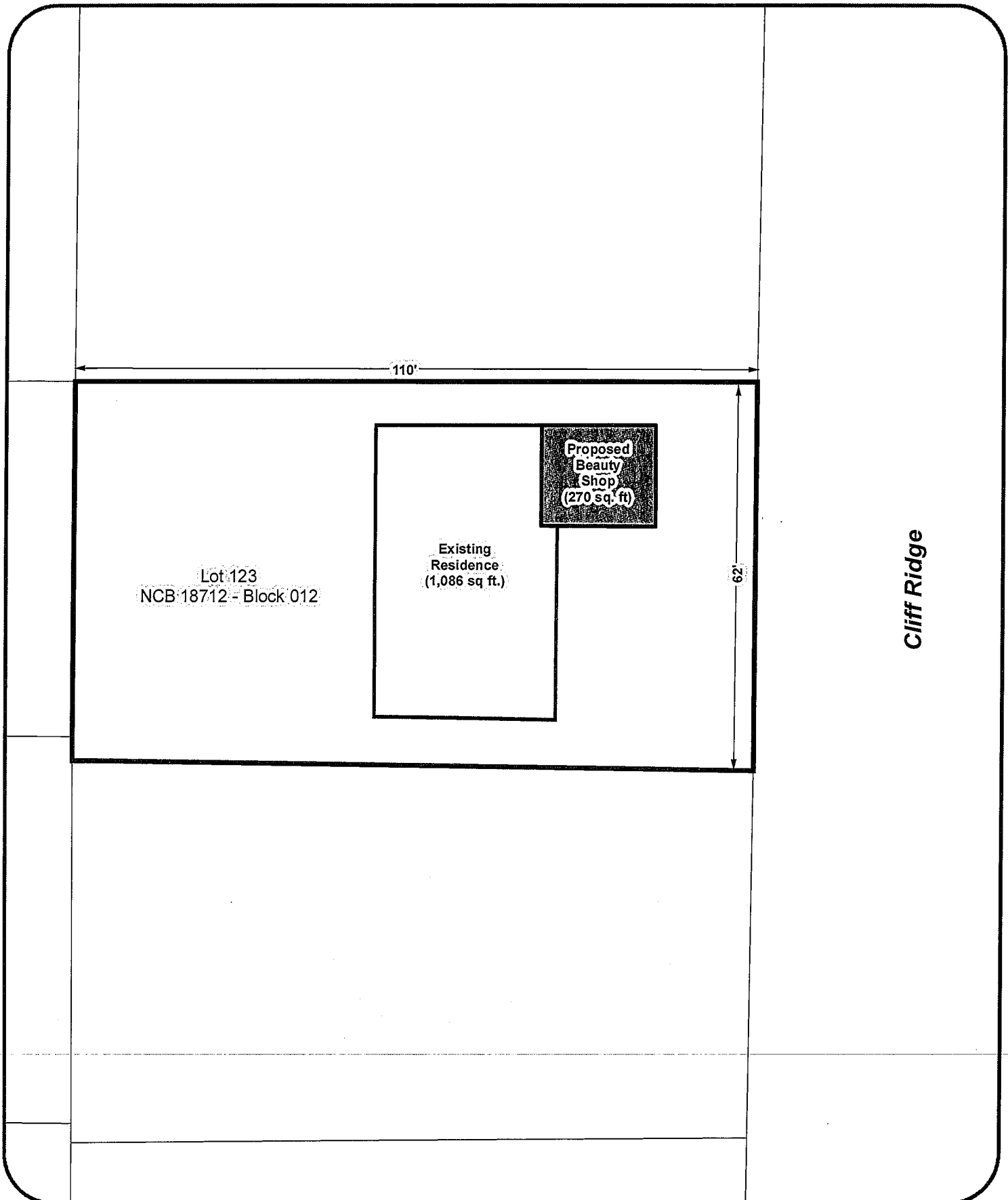
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-017



Board of Adjustment

**Plot Plan for
Case A-08-017**



Scale: 1" approx. = 20'
Council District 6

5931 Cliff Ridge

Produced by the City of San Antonio
Development Services Department
(12/04/2007)

CASE NO: A-08-017

Board of Adjustment – December 17, 2007

Applicant: Diana Fuentes
Owner: Diana Fuentes
Request(s): A Special Exception to continue to operate a one operator beauty shop in a residential area
Legal Description: Lot 123, Block 12, NCB 18712
Address: 5931 Cliff Ridge
Zoning: "R-6" Residential Single-Family District
Existing Use: Residential Single-Family
Neigh. Assoc: Great Northwest Neighborhood Association
Neigh. Plan: Northwest Community Plan

Section of the City Code from which this Special Exception is requested:

35-399.01 One-Operator Beauty Shops and Barber Shops: Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years for the initial application, and not to exceed four (4) years for any subsequent application, and only after notice and hearings as provided in this chapter for appeals to the Board of Adjustment.

Background: The subject property is located within an established single-family residential neighborhood and contains a single-family residence. "R-6" zoning and uses surround the subject property. The applicant proposes hours of operation from 12 noon to 4 p.m. on Monday, Tuesday and Thursday; 10 a.m. to 2 p.m. on Friday; 9 a.m. to 12 noon on Saturday and closed Wednesday and Sunday. The total proposed hours of operation are 19 hours per week. The applicant was most recently granted a Special Exception by the Board of Adjustment on November 7, 2005; however, this is the applicant's third request for a special exception for a one-operator beauty shop at this location. In addition, the applicant's Special Exception request constitutes a reduction of the previously approved total hours of operation from 31 to 19 hours per week.

Recommendation: The applicant has indicated she will continue to meet all of the conditions set forth in Section 35-399.01 of the Unified Development Code (UDC) (A copy of the application is attached to the Board of Adjustment packet.). The granting of this Special Exception request will allow the applicant to utilize the property for a barber/beauty shop without detracting from the residential character of the neighborhood. **This applicant has operated at this location since October 4, 2004 without any subsequent code violations.** Staff recommends approval of this Special Exception request for a 4-year period of operation. **The applicant appears to have continually demonstrated herself as a responsible beauty shop operator within her residential neighborhood and has adhered to the spirit of Section 35-399.01; thus, justifying the maximum allowable four-year Special Exception.**

Case Manager: David Arciniega, Planner (210) 207-6944

#67537

**BOARD OF ADJUSTMENT
SPECIAL EXCEPTION
FOR A BARBER/BEAUTY SHOP IN A
RESIDENTIAL AREA**

CASE NO:

Case Manager:

Hearing Date:

A-08-017

DAIDA

DEC. 17, 07

Lot 123 Blk 12
NCB 18712
Zoning 12

Name of Applicant

Diana G Fentes

Address

5931 Cliff Ridge Phone (210) 521-2437

ORDINANCE CONTAINS THE FOLLOWING REQUIREMENTS.

Section 35-375 Authorized Exceptions. Special exceptions may be granted for the following uses subject to the conditions specified. The granting of the special exceptions may be revoked if the conditions specified for each special exception are not maintained at all times.

Barber Shops and Beauty Shops may be permitted in all residential zones established by this chapter subject to the following limitations, conditions, and restriction:

1. ☒ A site plan shall be submitted indicating the size and location of all structures on the property. In addition, photographs of the structure in which the barbershop or beauty shop is to be located shall be submitted.
2. ☒ The residential architectural appearance of the structure shall not be changed to that of commercial, although a separate entry for the barber shop or beauty shop shall be permitted.
3. ☒ Signs advertising the barbershop and beauty shop are not permitted, but a name plate not to exceed one (1) square foot is permitted, when attached flat to the main structure.
4. ☒ The barber shop or beauty shop shall be located within the main structure of the lot and not utilize more than 25% of the gross floor area of the first floor. In case of a barber shop or beauty shop in a duplex, the 25% gross floor area shall be calculated on one (1) living unit of the duplex. In the case of a barber shop or beauty shop in an apartment unit, the Board of Adjustment shall determine the area to be used for said operations.
5. ☒ The barbershop or beauty shop shall be limited to one (1) operator shop.
6. ☒ No person not residing in the premises may be employed in the operation of the barber shop or beauty shop.
7. ☒ Hours of operation shall be regulated by the Board and shall be specified in the minutes of the case.
8. ☒ that such shall not be contrary to the public interest.
9. ☒ Granting of the permit for a barber shop or beauty shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years for the initial application, and not to exceed (4) years for any subsequent application, and only after notice and hearings as provided in this chapter for appeals to the Board of Adjustment. To qualify as a subsequent application, the permit must be applied for prior to the expiration of the previous permit.

Proposed hours of operation:

Sun closed mon 12-4 Tues 12-4 Wed closed Thurs 12-4
Fri 10-2 Sat 9-12

Comments:

By appt only

I, applicant, hereby authorize _____ of _____
to represent me in the matters to this case.

Signed: _____

(Applicant)

DATE: _____

Respectfully submitted:

Applicants Name: _____

Mailing Address: _____

Telephone: _____

Please submit:

Filing Fee - ~~\$200.00~~ 400.00

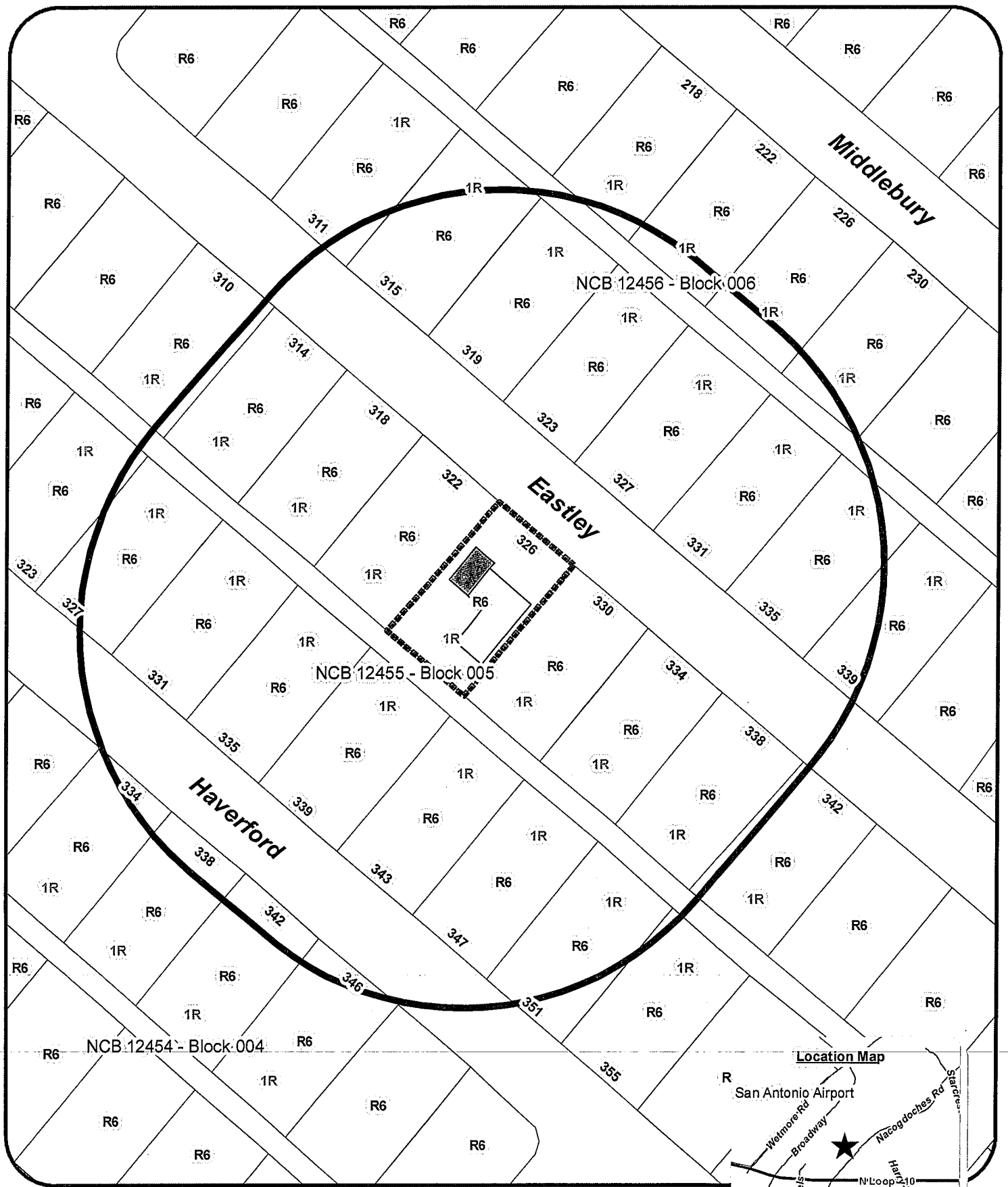
Check made payable to: City of San Antonio

Plot Plan,

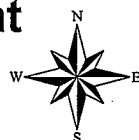
Photographs of the structure to be used,

Proposed hours of operation,

Floor plan of proposed beauty shop or barber shop operation.



Board of Adjustment
Notification Plan for
Case A-08-018



Legend
 Subject Property [hatched box]
 200' Notification Buffer [thick black line]

Scale: 1" approx. = 80'
 Council District 10

Produced by the City of San Antonio
 Development Services Department
 (12/06/2007)

Board of Adjustment - Case No. A-08-018

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Mary Alice Alvarez
Lot 10, Block 5, NCB 12455
326 Eastley
Zoned: “R-6” Residential Single-Family District

The applicant is requesting a Special Exception to continue to operate a one (1) operator beauty shop in a residential area.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Michael Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

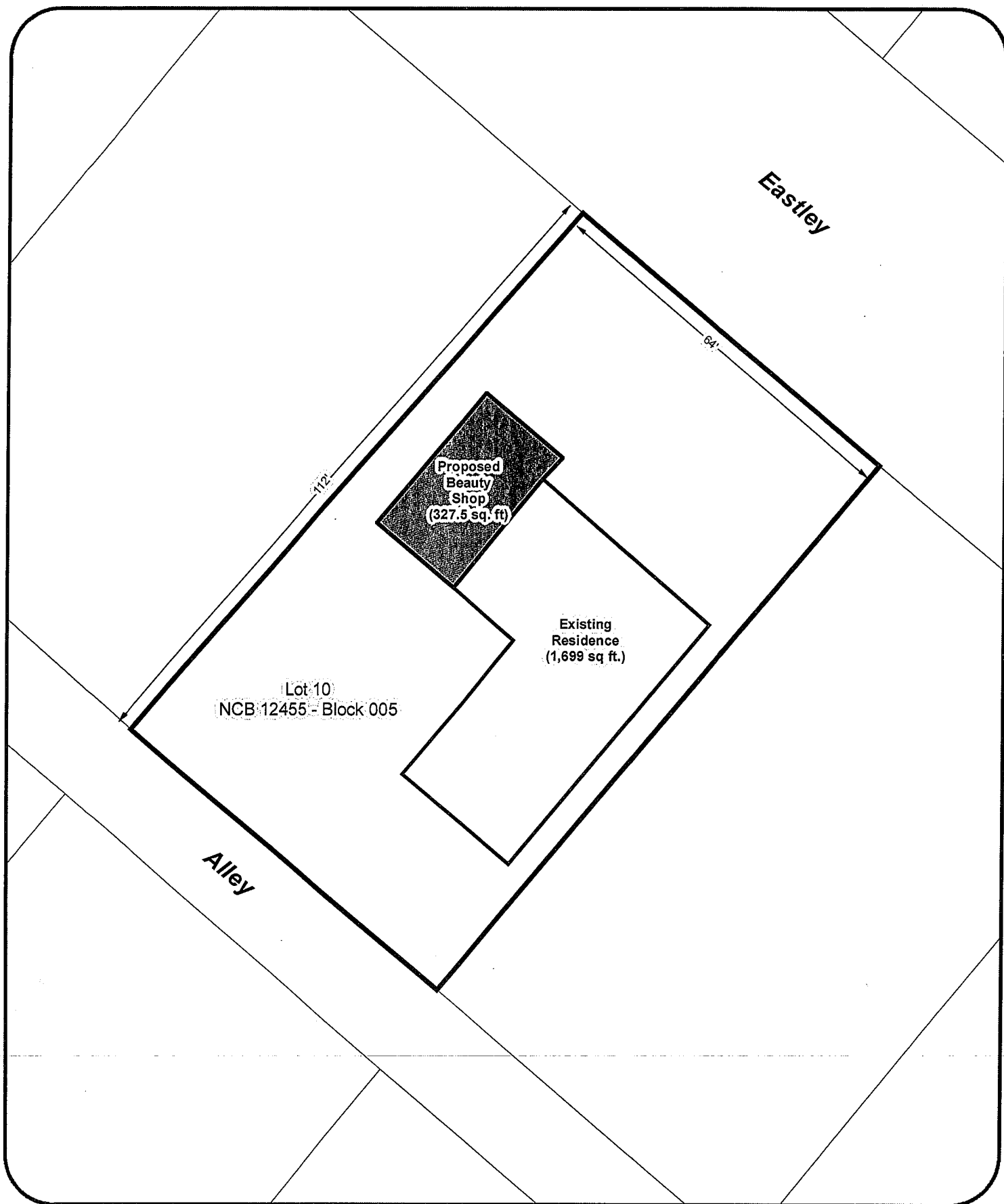
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

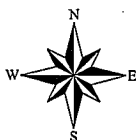
Comments/Comentarios: _____

A-08-018



Board of Adjustment

**Plot Plan for
Case A-08-018**



Scale: 1" approx. = 20'
Council District 10

326 Eastley

Produced by the City of San Antonio
Development Services Department
(12/04/2007)

CASE NO: A-08-018

Board of Adjustment – December 17, 2007

Applicant: Mary Alice Alvarez
Owner: Mary Alice Alvarez
Request(s): A Special Exception to continue to operate a one-operator beauty shop in a residential area
Legal Description: Lot 10, Block 5, NCB 12455
Address: 326 Eastley
Zoning: "R-6" Residential Single-Family District
Existing Use: Single-family residence with a one-operator beauty shop
Neigh. Assoc: None
Neigh. Plan: None

Section of the City Code from which this special exception is requested

35-399.01 One-Operator Beauty Shops and Barber Shops: Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years for the initial application, and not to exceed four (4) years for any subsequent application, and only after notice and hearings as provided in this chapter for appeals to the Board of Adjustment. **To qualify as a subsequent application, the permit must be applied for prior to the expiration of the previous permit.**

Background: The subject property is located in an established single-family residential neighborhood and contains a single-family residence that includes a one-operator beauty shop. The subject property is located mid-block on Eastley Street, bound by Westchester Street to the east and Choate Street to the west. "R-6" zoning and uses surround the subject property. The Board of Adjustment granted previous Special Exceptions to operate this beauty shop on:

- June 7, 1991
- January 2, 1992
- January 29, 1993
- February 24, 1997
- March 1, 1999
- April 2, 2001
- May 5, 2003
- May 2, 2005

The days and hours of operation are proposed to remain as previously approved: from 9:00 am to 4:00 pm Monday through Friday. The shop will remain closed on Saturday and Sunday. The applicant applied for this new Special Exception on November 13, 2007. There are no proposed changes to the size of the beauty shop or its location within the main structure.

Recommendation: The applicant has indicated she will continue to meet all of the conditions set forth in Section 35-399.01 of the Unified Development Code (A copy of the application has been included with the Board of Adjustment packet). It appears that granting this Special Exception will allow the continued use of a portion of this property as a beauty shop without altering the residential character of the neighborhood. The applicant has operated at this location with no recorded violations. Staff

recommends **approval** of this Special Exception request for a **2-year period of operation**. A 4-year period is not possible at this time because the applicant's request was not received prior to the expiration of the previous permit.

Case Manager: Mike Farber, Planner (210) 207-3074

#47408

**BOARD OF ADJUSTMENT
SPECIAL EXCEPTION
FOR A BARBER/BEAUTY SHOP IN A
RESIDENTIAL AREA**

CASE NO: A 08-018

Case Manager: MDH

Hearing Date: 12-17-07

Lot 10 Blk 5
NCB 12455
Zoning _____

Name of Applicant MARYALICE ALVAREZ

Address 326 EASTLEY Phone 8222682

ORDINANCE CONTAINS THE FOLLOWING REQUIREMENTS

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Proposed hours of operation:

9:00am to 4:00pm MON-FRI.

Comments:

SAT + SUNDAY CLOSED

I, applicant, hereby authorize Self of _____
to represent me in the matters to this case.

Signed:

Mary Alice Alvarez
(Applicant)

DATE: 11-13-07

Respectfully submitted:

Applicants Name:

Mary Alice Alvarez

Mailing Address:

326 Eastley

Telephone:

8222682

Please submit:

400.00
Filing Fee - ~~\$300.00~~

Check made payable to: City of San Antonio

Plot Plan,

Photographs of the structure to be used,

Proposed hours of operation,

Floor plan of proposed beauty shop or barber shop operation.



Board of Adjustment
Notification Plan for
Case A-08-019



Legend

Subject Property
 200' Notification Buffer

Scale: 1" approx. = 80'
 Council District 1

Produced by the City of San Antonio
 Development Services Department
 (12/06/2007)

Board of Adjustment - Case No. A-08-019

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Javier Ortiz
Lot 12, Block 24, NCB 2094
1802 West Laurel Street
Zoned: “MF-33” Multi-Family District

The applicant is requesting 1) a 2-foot variance from the Unified Development Code requirement that predominantly open fences in front yards be no taller than 4 feet in order to keep a 6-foot tall predominantly open fence in the front yard and 2) a 3-foot variance from the Unified Development Code requirement that clear vision areas be free of visual obstructions which are higher than three feet above the pavement, in order to allow a 6-foot tall predominantly open fence to encroach into the clear vision area of a corner intersection and abutting driveways in the front yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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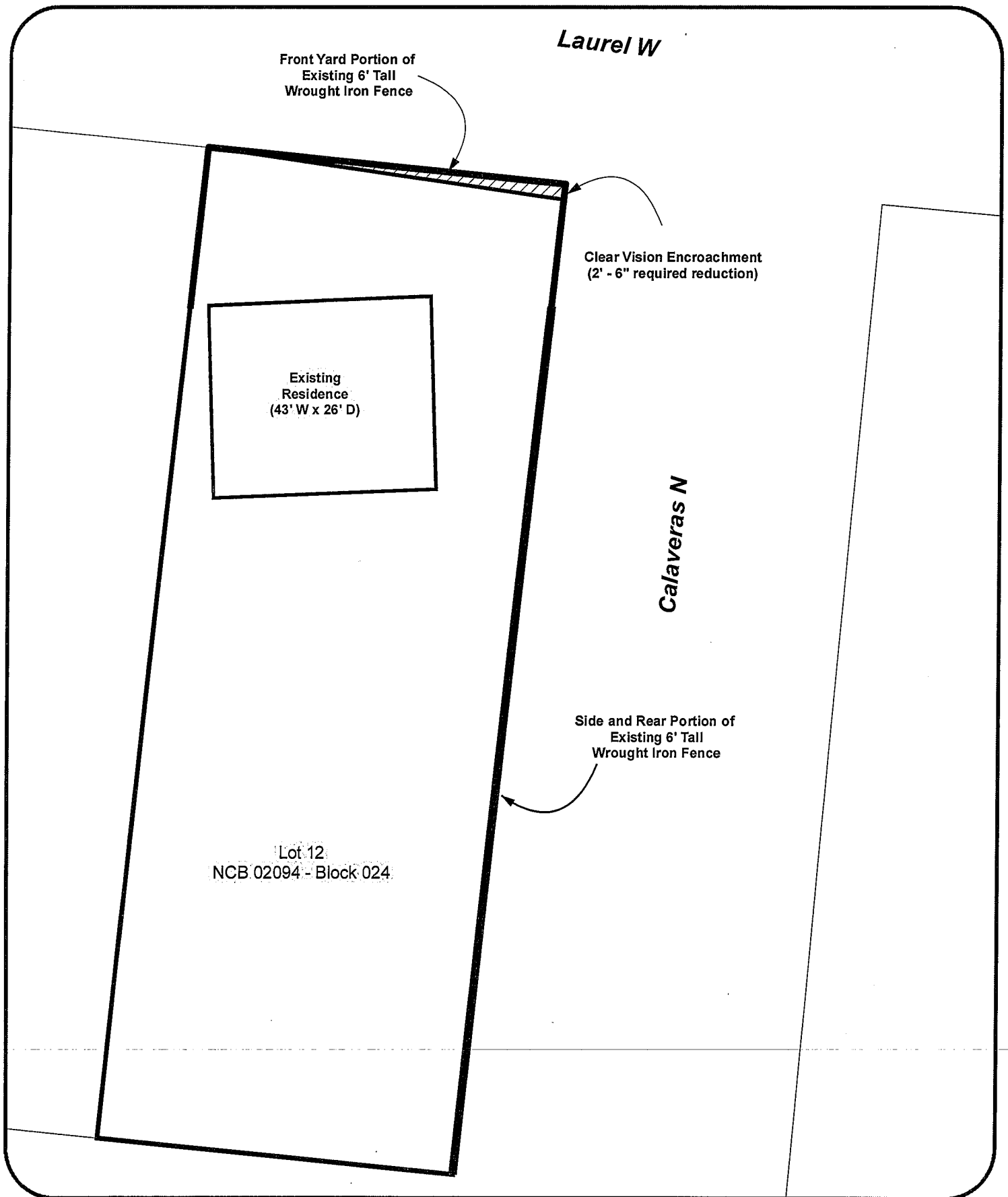
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Address/Direccion: _____
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

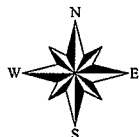
() In Favor/A Favor () In Opposition/En Oposicion

Comments/Comentarios: _____



Board of Adjustment

**Plot Plan for
Case A-08-019**



Scale: 1" approx. = 20'
Council District 6

1802 Laurel W

Produced by the City of San Antonio
Development Services Department
(12/13/2007)

CASE NO: A-08-019

Board of Adjustment – December 17, 2007

Applicant: Javier Ortiz

Owner: Javier Ortiz

Request(s): 1) a 2-foot variance from the Unified Development Code requirement that predominantly open fences in front yards be no taller than 4 feet in order to keep a 6-foot tall predominantly open fence in the front yard, and
2) a 3-foot variance from the Unified Development Code requirement that clear vision areas be free of visual obstructions which are higher than three feet above the pavement, in order to allow a 6-foot tall predominantly open fence to encroach into the clear vision area of a corner intersection and abutting driveways in the front yard.

Legal Description: Lot 12, Block 24, NCB 2094

Address: 1802 West Laurel Street

Zoning: "MF-33" Multi-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: Prospect Hill Neighborhood Association

Neigh. Plan: None

Sections of the City Code from which this variance is requested:

35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any front yard to exceed a height of 4 feet with the fence or wall to be so constructed that vision will not be obscured above a height of 3 feet, and

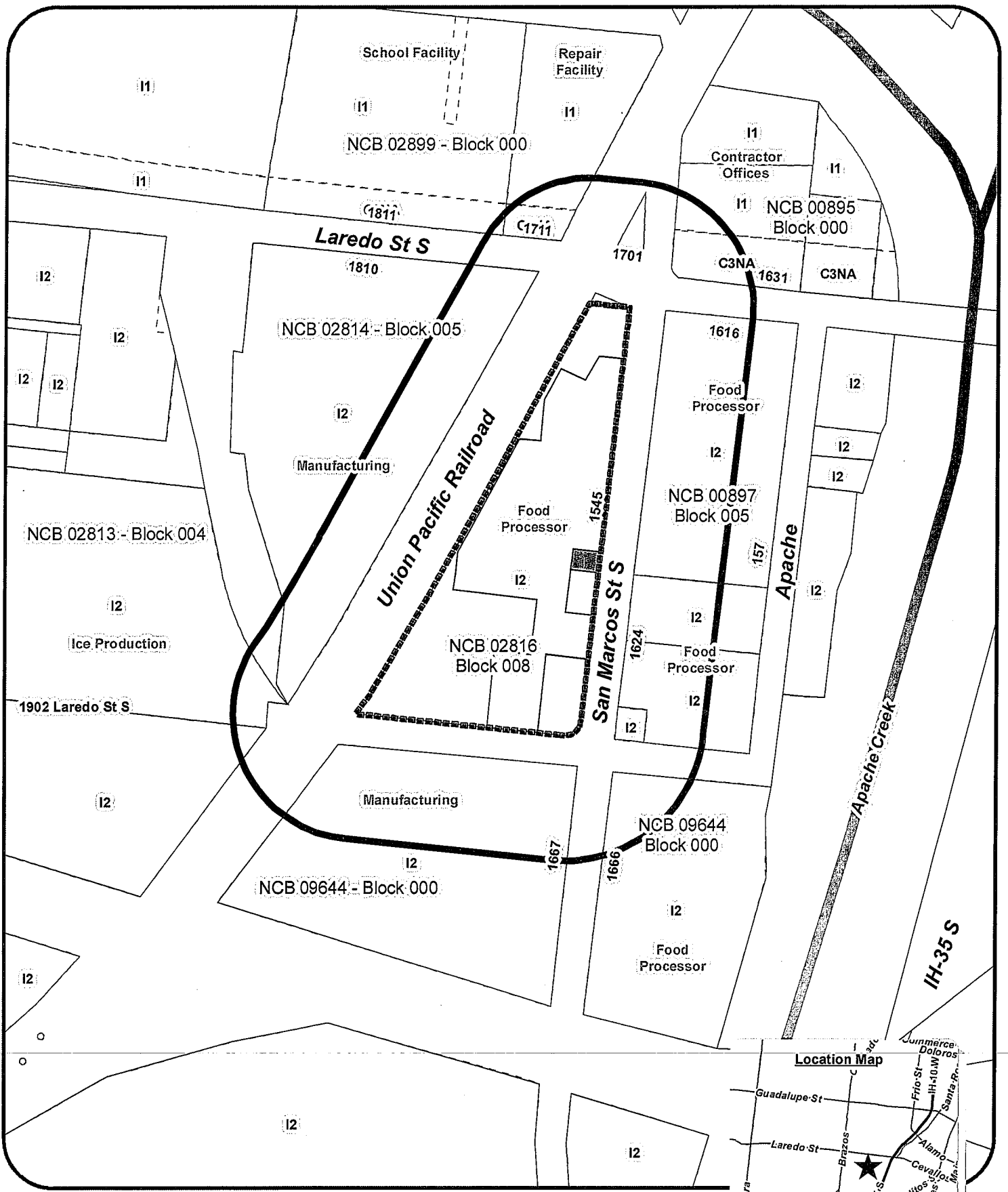
35-506 Cross Section and Construction Standards: Clear vision areas must be free of visual obstructions which are higher than 3 feet and lower than 8 feet above the pavement.

Background: The subject property is located in an established single-family and multi-family residential neighborhood that is located inside Loop 410 on the City's west side. The subject lot is situated on the southwest corner of the intersection of West Laurel Street and North Calaveras Street, which is south of Culebra Road and east of North Zarzamora Street. Single-family residences surround the subject property on all sides. The alley and adjacent lot (1515 North Calaveras Street), to the south, creates reverse frontage for this lot, which means the subject property has two front yards: one on West Laurel Street and one on North Calaveras Street. Fence height limits apply to both front yards. The applicant is proposing to keep a 6-foot tall predominantly open fence in the front yard. Further investigation revealed a portion of the fence encroaches into the clear vision area, along (West Laurel Street).

Recommendation: The intent of the maximum fence height requirement in front yards is to allow property owners to screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The maximum fence height in front yards is also limited because the presence of a fence built to an excessive height can detract from the streetscape and pedestrian friendliness of a neighborhood. The mere location of the subject property (corner lot) does not alone justify a variance from the maximum fence height requirement. This lot is not characterized by any unique terrain features where literal enforcement of the maximum fence height requirements would result in an unnecessary hardship. Staff recommends **denial** of the front yard fence height variance request.

The intent of the clear vision area requirement is to allow for motorist and pedestrian safety at corners, curves and intersections of streets and driveways. This safety requirement is of paramount concern, and finding no apparent physical conditions on the site that might warrant variances from the clear vision area requirement, Staff recommends **denial** of the clear vision area variance request.



Case Manager: David Arciniega, Planner (210) 207-6944



Board of Adjustment
Notification Plan for
Case A-08-021



Legend

Subject Property 
 200' Notification Buffer 

Scale: 1" approx. = 200'
 Council District 5

Location Map



Produced by the City of San Antonio
 Development Services Department
 (12/06/2007)

Board of Adjustment - Case No. A-08-021

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Alvin G. Peters
Lot 12, Block 8, NCB 2816
1545 South San Marcos Street
Zoned: “I-2” Heavy Industrial District

The applicant is requesting a 29-foot variance from the Unified Development Code requirement that a minimum 30-foot front setback be maintained in “I-2” zoning districts, in order to build a structure 1-foot from the front property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

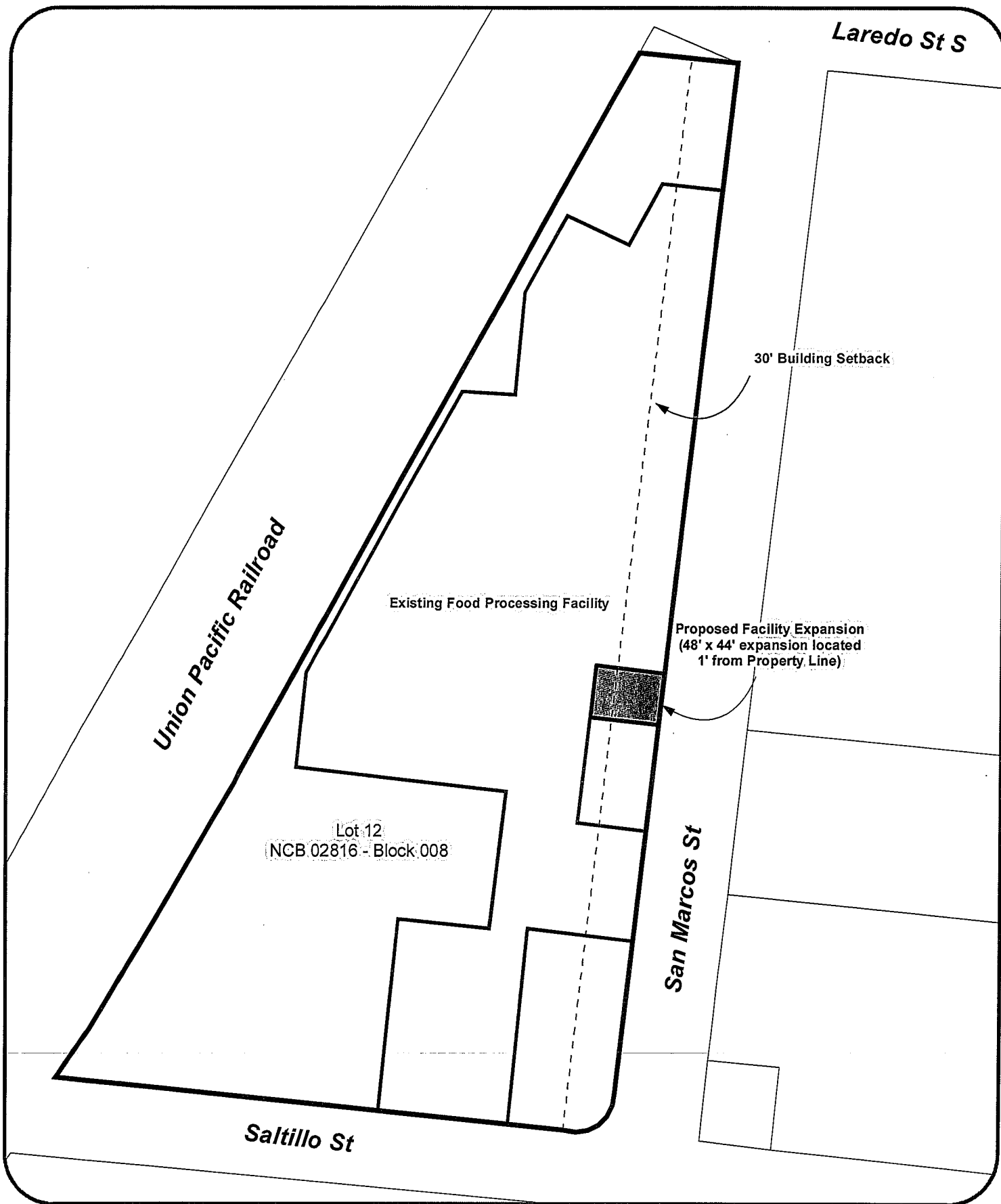
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

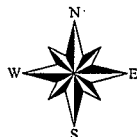
() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-021



Board of Adjustment
Plot Plan for
Case A-08-021



Scale: 1" approx. = 80'
Council District 5

1545 San Marcos St S

Produced by the City of San Antonio
Development Services Department
(12/05/2007)

CASE NO: A-08-021

Board of Adjustment – December 17, 2007

Applicant: Alvin G. Paters
Owner: Surlean Meat Company
Request(s): A 29-foot variance from the minimum 30-foot front setback required in "I-2" zoning districts, in order to build a structure 1-foot from the front property line

Legal Description: Lot 12, Block 8, NCB 2816

Address: 1545 South San Marcos Street

Zoning: "I-2" Heavy Industrial District

Existing Use: Meat Packing Plant

Neigh. Assoc: Avenida Guadalupe Neighborhood Association **within 200 feet**

Neigh. Plan: Guadalupe Westside Community Plan

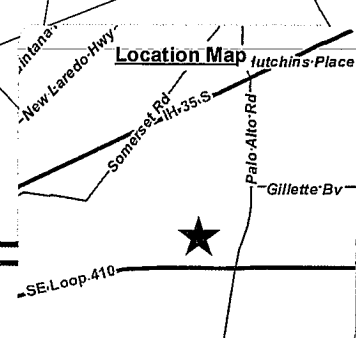
Section of the City Code from which this variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot front setback is required in "I-2" zoning districts.

Background: The subject property is located west of Downtown, on the westside of South San Marcos Street, south of South Laredo Street and west of IH 35 South. The subject property is in the vicinity of the old San Antonio Stock Yards and has been occupied by a meat packing plant/ freezer storage warehouse establishment since 1960. Heavy industrial zoning and uses surround the subject property. The applicant is requesting a variance in order to construct a 2,112 square-foot addition that, as proposed, would encroach into the front setback.

Recommendation: The intent of the front setback requirement in industrial districts is to provide a reasonable buffer between the public right-of-way, to allow for air flow and light penetration, and to prevent the overcrowding of lots. The immediate vicinity is characterized by existing freezer storage/warehouse buildings with varying front setbacks along South San Marcos Street. Considering these factors, it appears the proposed addition, which would be located 1-foot from the front property line would not conflict with the streetscape for this general area and would still observe the spirit and intent of the ordinance. Staff recommends **approval** of the requested variance.

Case Manager: David Arciniega, Planner (210) 207-6944



Scale: 1" approx. = 80'
Council District 4

Produced by the City of San Antonio
Development Services Department
(12/06/2007)

Board of Adjustment - Case No. A-08-022

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Benigno Sepulveda III
Lot 6, Block 3, NCB 14427
3230 Aragon Drive
Zoned: “R-4” Residential Single-Family District

The applicant is requesting a 4-foot, 6-inch variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained in “R-4” Zoning districts, in order to keep an existing carport 6 inches from the side property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

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Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

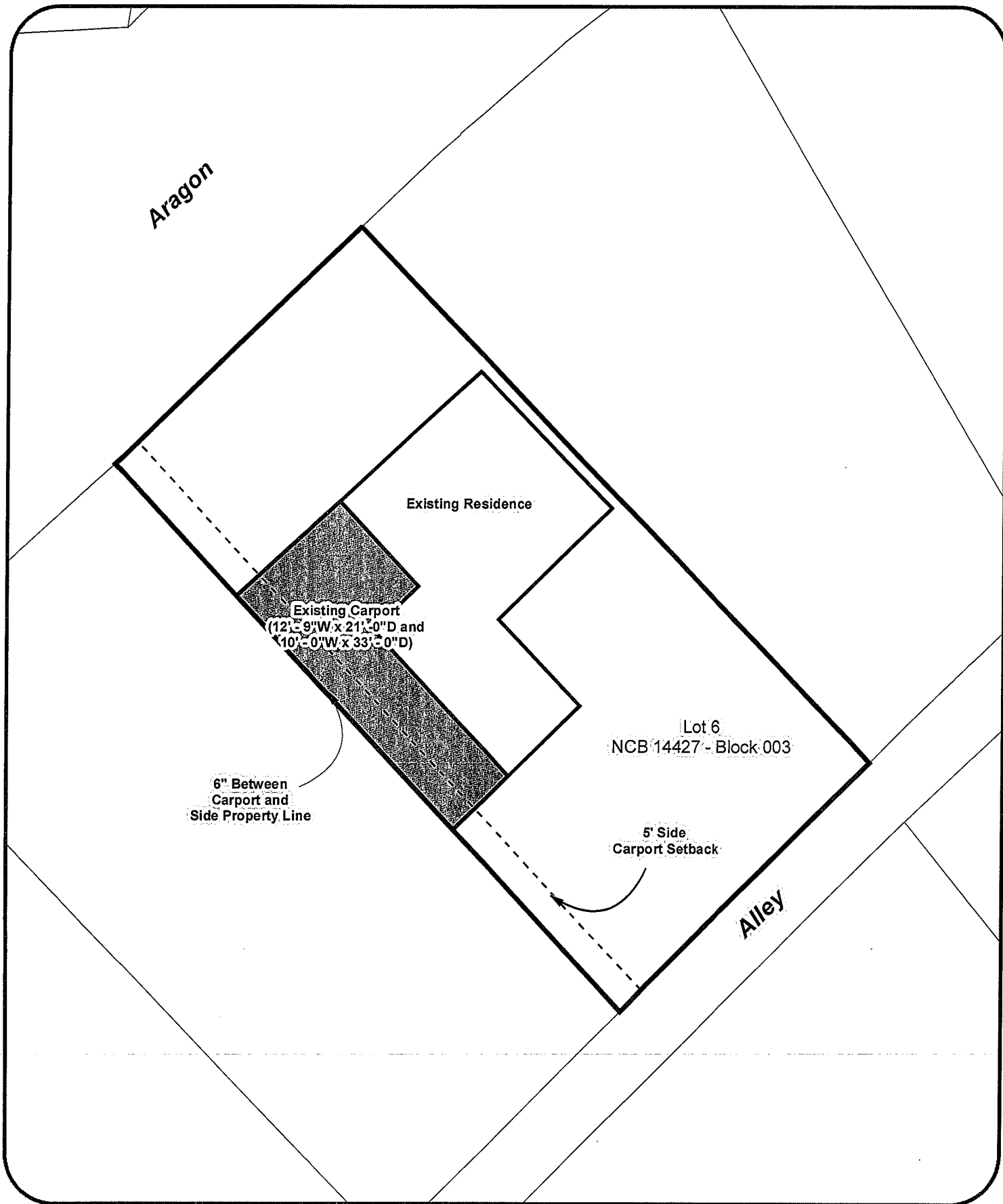
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

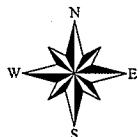
Comments/Comentarios: _____

A-08-022



Board of Adjustment

**Plot Plan for
Case A-08-022**



Scale: 1" approx. = 20'
Council District 4

3230 Aragon

Produced by the City of San Antonio
Development Services Department
(12/13/2007)

CASE NO: A-08-022

Board of Adjustment – December 17, 2007

Applicant: Benigno Sepulveda III
Owner: Benigno Sepulveda III
Request(s): A 4-foot, 6-inch variance from the minimum 5-foot side setback required in "R-4" Zoning districts, in order to keep an existing carport 6 inches from the side property line

Legal Description: Lot 6, Block 3, NCB 14427

Address: 3230 Aragon Drive

Zoning: "R-4" Residential Single-Family District

Existing Use: Single-family residence

Neigh. Assoc: None

Neigh. Plan: None

Sections of the City Code from which this variance is requested:

Section 35-310 Zoning District Purpose Statements and Design Regulations: A minimum 5-foot side setback is required in "R-4" zoning districts.

Background: The subject property is located in a single-family residential subdivision on the City's south side, which is located north of Southwest Loop 410 and west of Poteet Jourdanton Freeway. The subject property is situated on the south side of Aragon Drive and is utilized as a single-family residence. Single-family residences surround the subject property on all sides. The purpose of the requested variances is to keep an existing carport that encroaches into the side setback. The applicant built this carport without the required building permit. The applicant was issued a citation on July 2, 2007.

Recommendation: The intent of the side setback requirement is to allow for air flow, light penetration, neighborhood uniformity, to prevent the overcrowding of lots, and to maintain a reasonable amount of open space that is desired in single-family residential neighborhoods. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the front and side setback requirements would result in unnecessary hardship. Staff recommends **denial** of the requested variance.

Case Manager: David Arciniega, Planner (210) 207-6944

Report Date 12/10/2007 03:49 PM

Submitted By

Page 1

Case # 63571

Case Information

Stages

	Date / Time	By
Processed	07/02/2007 11:02	PL15211
Resolved		
Expires		

Associated Information

Case Group	PERMIT	WORKING W/O PERMIT	<input checked="" type="checkbox"/> Auto Reviews
Priority	P2	MED PRIORITY	
Resolution Code			
Source	INSR	INVESTIGATOR/INSPECTOR	
Name			

Applications Affected

☐ Building Application ☐ Project Application ☐ Use Application ☐ License Application ☐ Case

Description of Case

BUILDING CARPORT WITHOUT PERMIT AND IN VIOLATION OF SITE SETBACKS. ***DOUBLE FEE PER ERNEST MARTINEZ.*** //// 07/03/07 carport constructed without permit and in violation of side setback. must obtain permit and apply for variance with BOA. //// 08/01/07 spoke with mr. sepulveda (777-6192) and has hired an attorney to represent him at BOA /// 09/14/07 spoke with owner and gave until 9/14/07 to apply for variance or comply with setbacks.

Project #	Project/Phase Name	Phase #
Size/Area	Size Description	

Customer Service

Service #	Problem	Resolution Code	Resolved Date
-----------	---------	-----------------	---------------

No Customer Service Log Entries

Property/Site Information

Address 3230 ARAGON DR
SAN ANTONIO TX 78211-0000

Location

Owner/Tenant

There are no contacts for this site

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

No Addresses are linked to this Application

Linked Parcels

265843

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

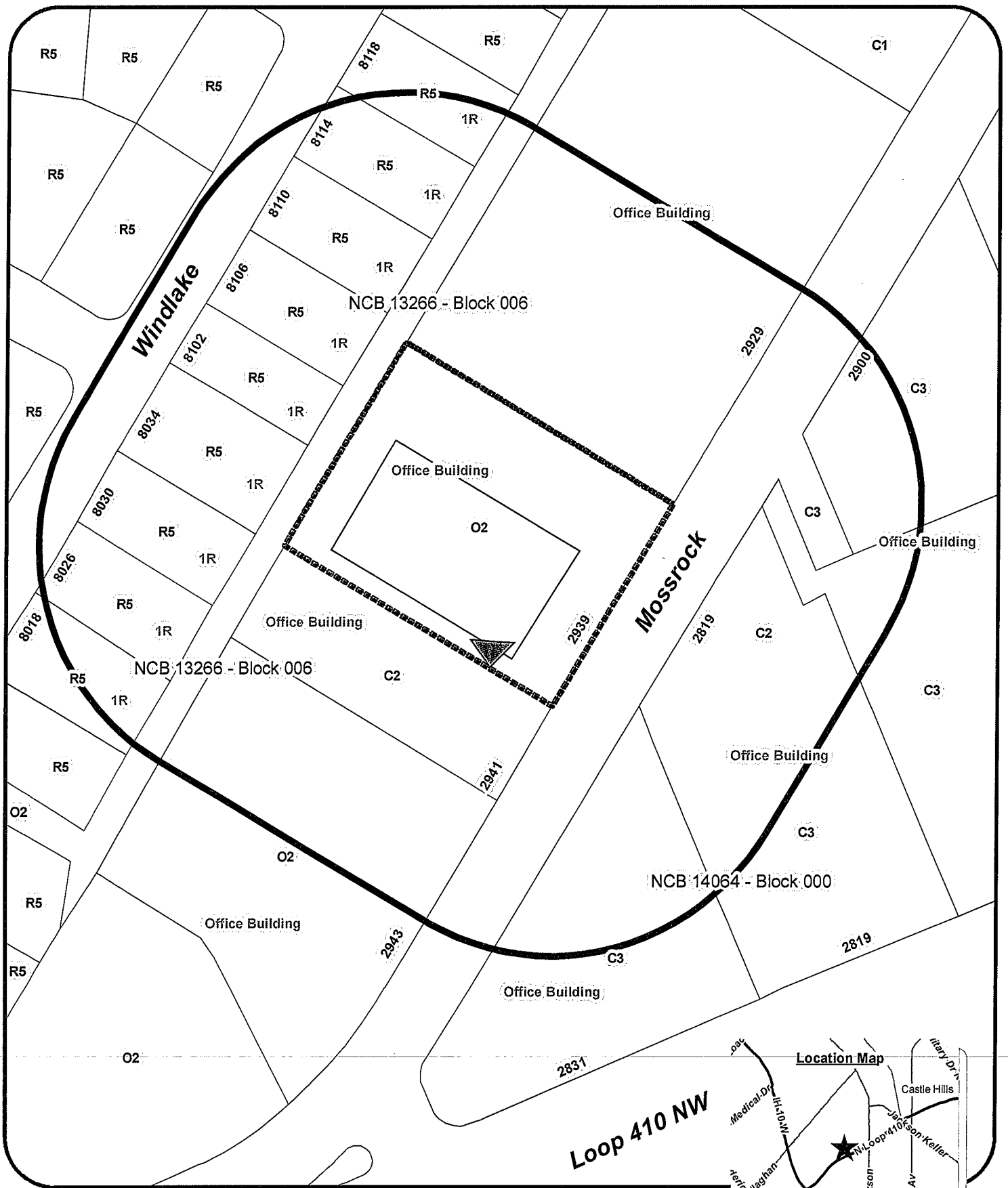
No Applicant Contacts

Contractors

No Contractors



Item Description

Item Status



Board of Adjustment
Notification Plan for
Case A-08-023



Legend
 Subject Property 
 200' Notification Buffer 

Scale: 1" approx. = 100'
 Council District 1



Produced by the City of San Antonio
 Development Services Department
 (12/06/2007)

Board of Adjustment - Case No. A-08-023

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Charles S. Gottsman

The northeast 184 feet of the southwest 274 feet of Lot 36, Block 6, NCB 13266
2939 Mossrock

Zoned: "O-2" Office District

The applicant is requesting a 48-foot variance from the Chapter 28 (Sign Code) requirement that signs must be set back a minimum of 100 feet from the nearest street easement or right-of-way, in order to allow a sign to be 52 feet from the nearest street easement or right-of-way.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica:

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-023

NE 184 ft of SW 274 ft of Lot 36
NCB 13266 - Block 006

Alley

Existing Office Building

100' Sign Setback

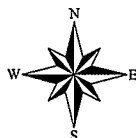
Proposed Triangular Pylon Sign
(60' - 0" High x 26' - 11" Wide)

Sign Post will be located 63.4 ft
From Front Property Line and
Sign Face (312 sq. ft.) will extend
to 52 ft from Front Property Line

Mossrock

Board of Adjustment

**Plot Plan for
Case A-08-023**



Scale: 1" approx. = 50'
Council District 1

2939 Mossrock

Produced by the City of San Antonio
Development Services Department
(12/05/2007)

CASE NO: A-08-023

Board of Adjustment – December 17, 2007

Applicant: Charles S. Gottsman

Owner: 12414 Nacogdoches LP

Request(s): A 48-foot variance from the requirement in Chapter 28 that lots within 500 feet of the expressway, but without expressway frontage, may have expressway standard signs provided that the signs be setback a minimum of 100 feet from the nearest street easement or right-of-way, in order to allow a sign to be 52 feet from the nearest street easement.

Legal Description: The northeast 184 feet of the southwest 274 feet of Lot 36, Block 6, NCB 13266

Address: 2939 Mossrock

Zoning: "O-2" Office District

Existing Use: Office

Neigh. Assoc: None

Neigh. Plan: None

Sections of the City Code from which these variances are requested:

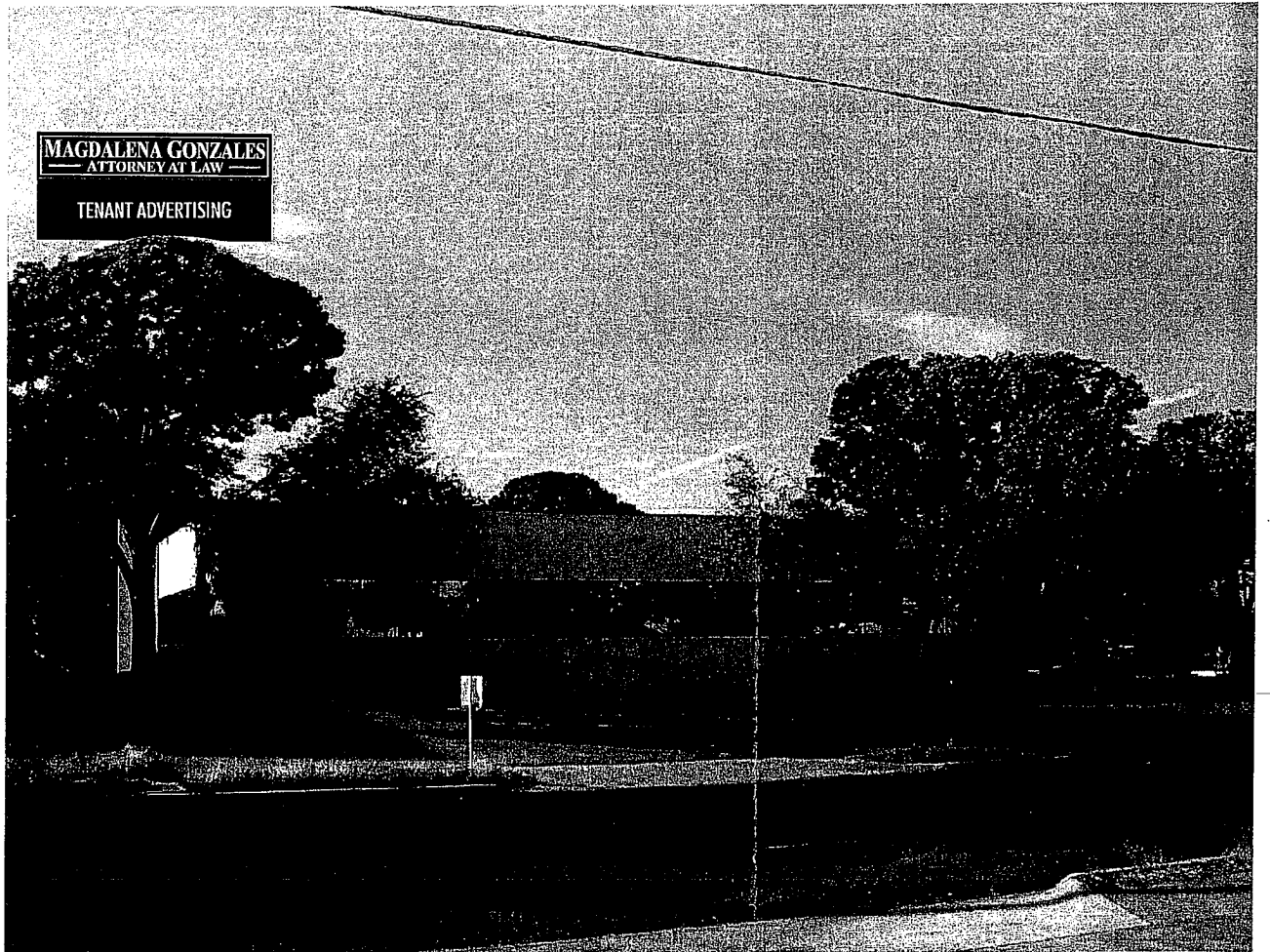
Section 28-239: If an expressway size sign is erected on a lot which does not have expressway frontage, said sign shall be setback a minimum of one hundred (100) feet from the nearest street easement or right-of-way and a minimum of two hundred (200) feet from the nearest residential zone.

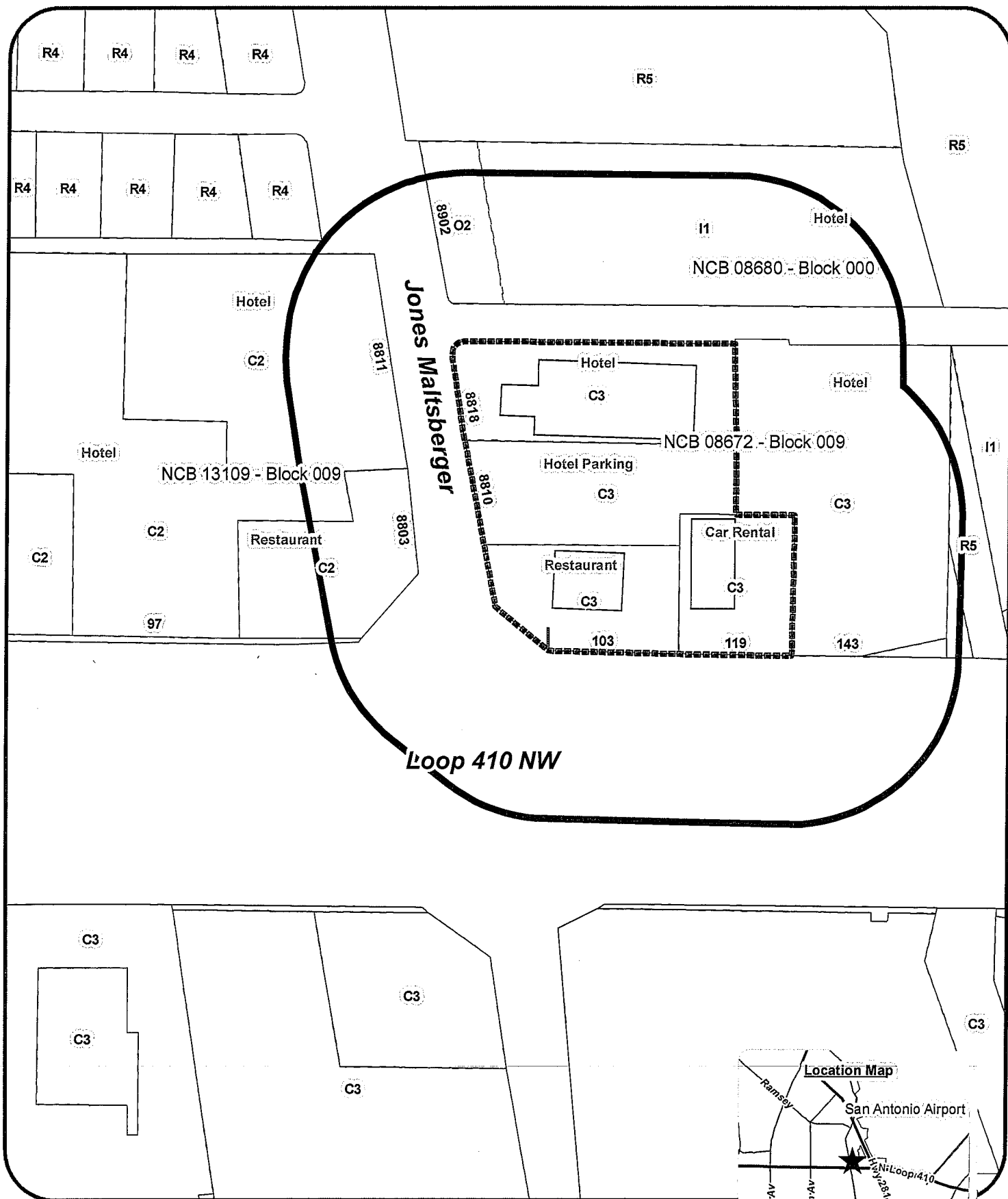
Background: The subject property is located on the City's north side, outside of Northwest Loop 410, between Callaghan Road and Vance Jackson Road, east of IH 10 West. The subject property lies on the northside of Mossrock and is utilized as an office building. A single-family subdivision abuts the property to the north and west, commercial and office zoning and uses exists to the north, south and east. The applicant is requesting an expressway standard sign on a lot that has no expressway frontage. Per Chapter 28, this property is allowed expressway standards being positioned within 500 feet from the expressway. However, for expressway standards on a lot that has no expressway frontage they are required to maintain a 100-foot setback from the nearest street easement and 200 feet from the nearest residential zone. The request is for a 48-foot variance from the required 100-foot spacing between the proposed sign and the nearest street easement.

Recommendation: The parameters (as found in Chapter 28, Section 247) that need to be met to justify the Board to approve a variance include a restricted reasonable opportunity for any adequate signage on the property (considering dimensions, landscaping or topography), or that a denial would cause a cessation of longstanding active commercial use of the property. Although this property could likely accommodate this sign in another location without the need for a variance those options are unfavorable. Without the

variance the applicant is proposing to install an allowable roof sign that would appear less aesthetically appealing or would utilize a sign location that would require trees to be cut or removed. Based on the facts presented staff is recommending **approval** of the proposed variance request.

Case Manager: David Arciniega, Planner (210) 207-6944
David Simpson, Chief Sign Inspector





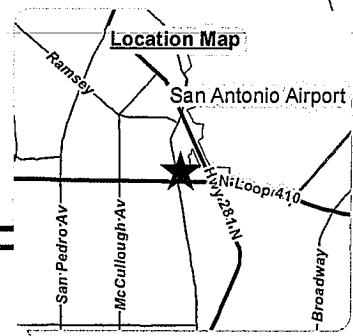
Loop 410 NW

Board of Adjustment
Notification Plan for
Case A-08-024



Legend
 Subject Property [dashed line]
 200' Notification Buffer [thick solid line]

Scale: 1" approx. = 150'
 Council District 9



Produced by the City of San Antonio
 Development Services Department
 (12/06/2007)

Board of Adjustment - Case No. A-08-024

December 17, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, December 17, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Drury Southwest, Inc.

The south 73.23 feet of Lot 37, Block 9, NCB 8672

8818 Jones Maltsberger

Zoned: "C-3" Commercial District

The applicant is appealing the decision of the Chief Sign Inspector to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of 28-245 by the Chief Sign Inspector that the reconstruction of an on-premise freestanding sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager David Arciniega at 207-6944 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

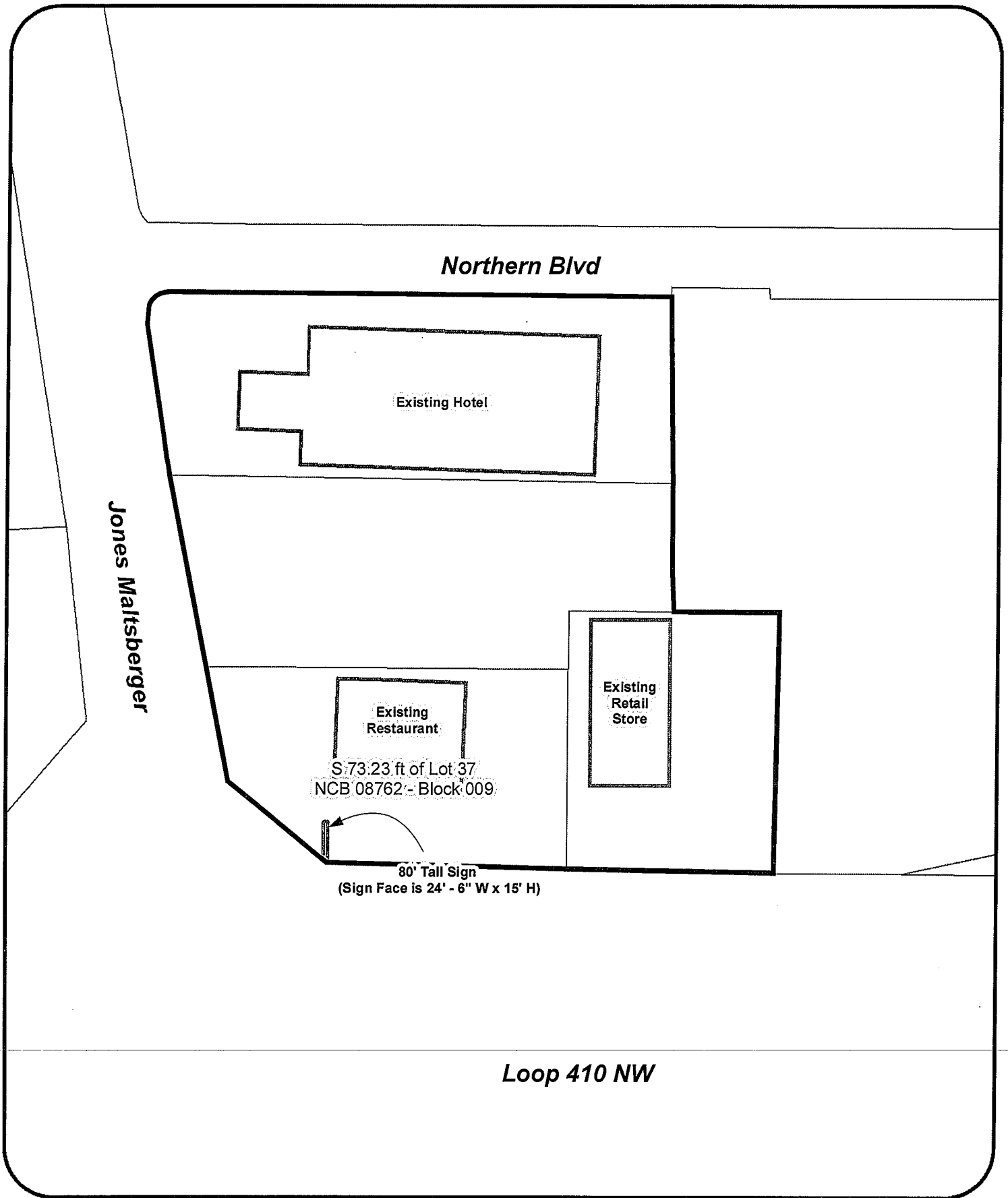
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-024



Board of Adjustment

**Plot Plan for
Case A-08-024**



Scale: 1" approx. = 80'
Council District 9

8818 Jones Maltsberger

Produced by the City of San Antonio
Development Services Department
(12/05/2007)

CASE NO: A-08-024

Board of Adjustment – December 17, 2007

Applicant: Drury Southwest, Inc.

Owner: Auburn Investments Inc.

Request(s): The applicant is appealing the decision of the Chief Sign Inspector to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of 28-245 by the Chief Sign Inspector that the reconstruction of an on-premise freestanding sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign

Legal Description: The south 73.23 feet of Lot 37, Block 9, NCB 8672

Address: 8818 Jones Maltsberger Road

Zoning: "C-3" Commercial District

Existing Use: Hotel/Motel

Neigh. Assoc: None

Neigh. Plan: None

Sections of the City Code justifying this request:

28-246 Appeals and variances to Article IX of Chapter 28 of the City Code: Any decision based on an interpretation of Article IX made by the Chief Sign Inspector may be appealed to the Board of Adjustment. After hearing the parties, the Board shall make a recommendation to the Director of Development Services to either uphold or to modify the inspector's decision.

28-247 Variance and Appeals Procedures: Any person requesting to appeal a decision of the Director of Development Services shall submit a written request.

35-481 Appeals to the Board of Adjustment: Any person aggrieved by the decision of an administrative official may appeal that decision to the Board of Adjustment.

Background: The subject property is located on the City's north side, outside of Northeast Loop 410, between McCullough Avenue and US 281 North and Vance Jackson Road. The subject property lies on the eastside of Jones Maltsberger Road and is utilized as a hotel. Commercial and office zoning and uses surround the subject property. A Best Western Inn hotel currently occupies the subject property. An existing on-premise free-standing pole sign is oriented to the northeast corner of Northeast Loop 410 access road and Jones Maltsberger Road. Expressway standards apply to the property allowing for a 50 foot tall sign with a total of 375 square feet of sign face area. The pole sign in question is 80 feet tall and supports one sign cabinet. The applicant received a permit requesting to reface the existing nonconforming sign cabinet. The Chief Sign Inspector later issued a stop-work order for the reconfiguring of the on-premise free-standing pole sign based on the Inspector's interpretation of Section 28-245(1), which states that freestanding pole signs that are nonconforming may be only be refaced and/or have general maintenance performed as defined in this chapter. 28-6 Reface as it pertains to on-premise signs, shall be defined as replacing, restoring, repainting or repairing the existing advertising sign face area which is attached, annexed, or supported from the sign

cabinet and/or main structure. It shall not include any rebuilding, reconstruction or reconfiguration of the existing sign cabinet and/or existing support structure.

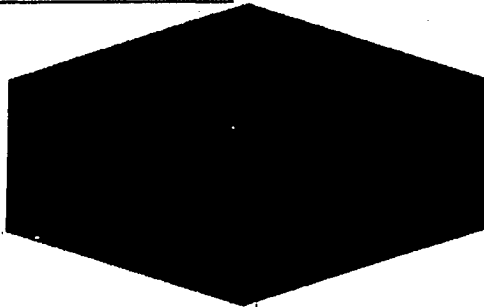
Recommendation: The reconfiguration of the sign cabinet from the original shape resulted in the loss of previously held nonconforming rights to the sign. The loss of nonconforming rights prevents the reestablishment of the pole sign to its previous condition or any alteration thereafter without conforming to the current sign and billboard standards. The applicant has not provided convincing evidence that the Chief Sign Inspector of the Development Services Department erred in this decision. Staff recommends that the Board **uphold** the decision of the Chief Sign Inspector for the Development Services Department.

Case Manager: David Arciniega, Planner (210) 207-6944

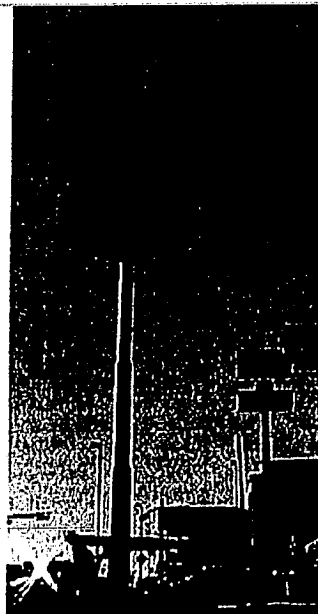
David Simpson, Chief Sign Inspector (210) 207-8289

EXISTING
SIGN

15'



80'



NEW FACES ON
EXISTING SIGN

24'



15'

LARRY DOUGLAS
LIGHTING * SIGN



CASA LINDA BESTWESTERN
8818 JONES MALTSBERGER